IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

REVIEW PETITION NO.113 OF 2006
IN
WRIT PETITION NO.7994 of 2005

Tuticorin Town Merchants
Central Association..Petitioner
Vs.
Reserve Bank of India ..Respondent

Ms.Ansu Geogy i/b. Georj Jecobe & Associates for the Petitioner
Mr. Kunal Damle i/b. Udwadia & Udeshi for Respondents.

CORAM: F.I. REBELLO &
DR.D.Y.CHANDRACHUD, JJ.
DATE : 12th SEPTEMBER,2006

P.C.

. Petitioner is seeking review of the order dated 2nd February, 2006. It is their submission that they have come across additional documents and based on those documents the order of this Court requires to be reviewed.

2. The main issue in the petition was whether the Scheduled Private Banks are covered by Circular dated 3rd September, 2005 and whether the exclusion is arbitrary. On considering the affidavit filed on behalf of Reserve Bank of India we had negated the contention of the petitioners. The Reserve Bank of India had further set out that it is open to the Scheduled Private Bank to have their own scheme. The learned Counsel points out to us firstly circular dated November, 22, 2005 issued by R.B.I. is in respect of certain financial institutions which are the All India Term Lending and Refinancing Institutions as also another communication dated December 27, 2005 is in respect of borrowings less than Rs.25,000/-. In so far as the first documents is concerned, it clearly refers to Term Lending and Refinancing Institutions

set out therein which clearly would not be applicable to the Scheduled Private Banks and in so far as the second Circular of December 27, 2005 is concerned these are in the nature of instructions and the banks were asked to take appropriate steps. It is for those banks to take steps. It will not be possible for this Court to issue any mandamus to Private Banks and/or to make applicable the Circular of the R.B.I. which has been made applicable to public Scheduled Banks.

. With the above observations, Review Petition disposed of.

(**F.I. REBELLO, J.**)

(**DR. D.Y.CHANDRACHUD,.J**)